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ATTORNEYS FOR DEFENDANTS GERRY SPENCE TRIAL INSTITUTE, GERALD L. SPENCE, REX PARRIS, JOSEPH LOW, JOHN ZELBST, KENT SPENCE AND GERRY SPENCE METHOD AT THUNDERHEAD RANCH, INC.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

THE TRIAL LAWYERS COLLEGE, a nonprofit corporation,

Plaintiff.

vs.

GERRY SPENCE TRIAL INSTITUTE, a nonprofit corporation and GERALD L. SPENCE, JOHN ZELBST, REX PARRIS, JOSEPH H. LOW, KENT SPENCE, JOHN JOYCE, and DANIEL AMBROSE, individuals, GERRY SPENCE METHOD AT THUNDERHEAD RANCH, INC.,

Defendants.

Civil Action No. 1:20-CV-00080-JMC

**DEFENDANTS' NOTICE OF EFFORTS TO COMPLY WITH COURT ORDER OF
DECEMBER 11, 2024**

Defendants other than Daniel Ambrose, by counsel, provide this Notice of Attempts to comply with the Court’s Order of December 11, 2024 (Doc. 609):

1. On December 11, 2024, the Hon. Gregory Fouratt scheduled a hearing in this case on Defendants’ Motion for Contempt and Plaintiff’s Motion to Enforce Settlement (Doc. 609). The Court further ordered that, by noon Mountain Time on January 7, 2025, the parties were to “file a joint statement indicating whether and in what ways they have been able to narrow the issues in dispute.” (Id., p. 2).

2. Defendants immediately attempted to confer with Plaintiff’s counsel in order to narrow the issues in dispute. On December 12, 2024, Defendants’ counsel wrote to Plaintiff’s counsel, setting out her views as to the issues to be addressed at the January 20, 2025 hearing and inviting dialogue over the issues (Kushner Dec. Ex. A). Defendants’ counsel further offered a specific protocol for addressing any disputes over property (Id., p. 5). Defendants’ counsel asked Plaintiff’s counsel to respond by December 27, 2024, so that the parties would be able to confer and address the issues before the January 10, 2025 hearing. Plaintiff’s counsel did not acknowledge receipt or otherwise respond.

3. Defendants’ counsel also immediately began to prepare proposed Stipulated Facts that would address both motions. On December 17, 2024, Defendants’ counsel provided them to Plaintiff’s counsel (Kushner Dec., Ex. B).

4. On December 23, 2024, Plaintiff’s counsel acknowledged receipt of the proposed Stipulated Facts and stated he would respond “in due course.” (Kushner Dec., Ex. C)

5. Beginning on December 18, 2024, Plaintiff removed a few of the photographs that are the subject of the Contempt Motion from particular albums on Facebook. (leaving them on Twitter). Accordingly, Defendants updated the Proposed Stipulated Facts and provided them to Plaintiff’s counsel on December 30, 2024 (Kushner Dec., Ex. D)

6. As of noon on January 6, 2025, Plaintiff has not responded substantively to Defendants' communications. Plaintiff has not responded to the protocol addressing property, to any of the Proposed Stipulated Facts, or to the issues that Defendants believe are in dispute for the hearing.

7. Although Defendants remain available to confer and to narrow any issues, they attempted to but are currently unable to provide a joint submission by the January 7, 2025 deadline.

Respectfully submitted this 6th day of January, 2025.

/s/ Beth J. Kushner

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CERTIFICATE OF SERVICE

I hereby certify that true and correct copy of the foregoing document has been served electronically by transmission to an electronic filing service provider for service through the Court's CM/ECF system to all parties on January 6, 2025.

/s/ Beth J. Kushner

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